

UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEW JERSEY

Caption in Compliance with D.N.J. LBR 9004-1(b)

Denise Carlon, Esquire

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Attorneys for Secured Creditor

Bayview Loan Servicing, LLC



Order Filed on September 18, 2020
by Clerk
U.S. Bankruptcy Court
District of New Jersey

In Re:

Ambrose E. Gmeiner

Debtor.

Case No.: 19-12338 CMG

Adv. No.:

Judge: Christine M. Gravelle

**ORDER CURING POST-PETITION ARREARS AND RESOLVING SECURED
CREDITOR'S CERTIFICATION OF DEFAULT**

The relief set forth on the following pages, numbered two (2) through two (2) is hereby
ORDERED.

DATED: September 18, 2020

A handwritten signature in black ink, reading "Christine M. Gravelle".

Honorable Christine M. Gravelle
United States Bankruptcy Judge

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Debtor: Ambrose E. Gmeiner

Case No: 19-12338 CMG

Caption of Order: ORDER CURING POST-PETITION ARREARS AND RESOLVING SECURED CREDITOR'S CERTIFICATION OF DEFAULT

This matter having been brought before the Court by KML Law Group, P.C., attorneys for Secured Creditor, Bayview Loan Servicing, LLC, Denise Carlon, Esq. appearing, upon a certification of default as to real property located at 3 Fieldcrest Court, Bayville, NJ, 08721, and it appearing that notice of said certification was properly served upon all parties concerned, and this Court having considered the representations of attorneys for Secured Creditor and Eugene D. Roth, Esq., attorney for Debtors, and for good cause having been shown

It is **ORDERED, ADJUDGED and DECREED** that as of August 26, 2020 Debtor is in arrears outside of the Chapter 13 Plan to Secured Creditor for payments due June 2020 through August 2020 for a total post-petition default of \$5,378.84 (1 @ \$2,200.69, 2 @ \$2,282.71, \$1,387.27 less suspense); and

It is further **ORDERED, ADJUDGED and DECREED** that the balance of the arrears in the amount of \$5,378.84 shall be added to the affidavit of amount due and paid through Debtors' Chapter 13 plan; and

It is further **ORDERED, ADJUDGED and DECREED** that the debtor will submit a modified plan within fourteen of the entry of this order provides that for the payment of the post-petition arrears contained herein \$5,378.84 as well as for the payment of the post-petition arrears contained in the Order dated February 13, 2020 in the amount of \$24,234.65; and; and

It is further **ORDERED, ADJUDGED and DECREED** that regular mortgage payments are to resume September 1, 2020, directly to Secured Creditor, Bayview Loan Servicing, LLC, 4425 Ponce de Leon Blvd, Coral Gables, FL 33146 (Note: the amount of the monthly mortgage payment is subject to change according to the terms of the note and mortgage); and

It is further **ORDERED, ADJUDGED and DECREED** that for the Duration of Debtor's Chapter 13 bankruptcy proceeding, if the lump sum payment or any regular monthly mortgage payments are not made within thirty (30) days of the date said payment is due, Secured Creditor may obtain an Order Vacating Automatic Stay as to Real Property by submitting a Certification of Default to the Court indicating such payment is more than thirty days late, and Debtors shall have fourteen days to respond; and

It is further **ORDERED, ADJUDGED and DECREED** that a copy of any such application, supporting certification, and proposed Order must be served on the Trustee, Debtor, and Debtor's counsel at the time of submission to the Court; and

It is further **ORDERED, ADJUDGED and DECREED** that Secured Creditor is hereby awarded reimbursement of fees and costs up to the sum of \$350.00 in an amount to be included in a post-petition fee

notice for attorneys' fees, which is to be paid through Debtor's Chapter 13 plan and certification of default is hereby resolved.

Certificate of Notice Page 4 of 4

United States Bankruptcy Court
District of New Jersey

In re:
Ambrose E. Gmeiner, II
Debtor

Case No. 19-12338-CMG
Chapter 13

CERTIFICATE OF NOTICE

District/off: 0312-3

User: admin
Form ID: pdf903

Page 1 of 1
Total Noticed: 1

Date Rcvd: Sep 18, 2020

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Sep 20, 2020.

db +Ambrose E. Gmeiner, II, 3 Fieldcrest Ct, Bayville, NJ 08721-2162

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.
NONE. TOTAL: 0

***** BYPASSED RECIPIENTS *****

NONE. TOTAL: 0

Addresses marked '+' were corrected by inserting the ZIP or replacing an incorrect ZIP.
USPS regulations require that automation-compatible mail display the correct ZIP.

Transmission times for electronic delivery are Eastern Time zone.

I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed. R. Bank. P. 2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Sep 20, 2020

Signature: /s/Joseph Speetjens

CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on September 18, 2020 at the address(es) listed below:

Albert Russo on behalf of Trustee Albert Russo docs@russotrustee.com
Albert Russo docs@russotrustee.com
Denise E. Carlon on behalf of Creditor BAYVIEW LOAN SERVICING, LLC dcarlon@kmlawgroup.com,
bkgroup@kmlawgroup.com
Eugene D. Roth on behalf of Debtor Ambrose E. Gmeiner, II erothsq@gmail.com
John R. Morton, Jr. on behalf of Creditor Nissan Motor Acceptance Corporation, Servicer for
Nissan-Infiniti LT ecfmail@mortoncraig.com, mortoncraigecef@gmail.com
Peter E. Meltzer on behalf of Creditor One Main Financial Group, LLC pmeltzer@wglaw.com,
ibernatski@wglaw.com
Rebecca Ann Solarz on behalf of Creditor BAYVIEW LOAN SERVICING, LLC rsolarz@kmlawgroup.com
U.S. Trustee USTPRegion03.NE.ECF@usdoj.gov

TOTAL: 8